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PTO/SB/64a (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED FOR FAILURE TO NOTIFY THE OFFICE OF A FOREIGN  
OR INTERNATIONAL FILING (37 CFR 1.137(f))**

Docket Number (Optional)

P1544

First named inventor: Noel Lee

Application No.: 10/655,095

Art Unit: 2837

Filed: September 3, 2003

Examiner: Edgardo San Martin

Title: SURROUND SOUND POSITIONING TOWER SYSTEM AND METHOD

Attention: Office of Petitions

**Mail Stop Petition**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned pursuant to 35 U.S.C. 122(b)(2)(B)(iii) for failure to timely notify the Office of the filing of an application in a foreign country or under a multinational international treaty that requires publication of applications eighteen months after filing. The date of abandonment is the day after the expiration date of the forty-five (45) day period set in 35 U.S.C. 122(b)(2)(B)(iii).

PURSUANT TO 37 CFR 1.137(f), APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION UNDER 37 CFR 1.137(b)

## 1. Petition fee

☐ Small entity-fee \$ \_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity – fee \$ 1500.00 (37 CFR 1.17(m))

## 2. Notice of Foreign or International Filing (35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c))

Subsequent to the filing of the above-identified application, an application was filed in another country, or under a multinational international treaty (e.g., filed under the Patent Cooperation Treaty), that requires publication of applications eighteen months after the filing. The filing date of the subsequently filed foreign or international application is 08/31/2004 and 09/03/2004.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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**STATEMENT:** The entire delay in filing the required notice of a foreign or international filing from the due date for the required notice until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Margie DeHaan  
Signature

27 October 2005

Date \_\_\_\_\_

May Lin DeHaan

Typed or printed name

42,472

Registration Number, if applicable

P.O. Box 3140

## Address

**(831) 649-8800**

Telephone Number

Monterey, CA 93942-3140

Address

Enclosures: ☒ Fee Payment

☐ Additional sheets containing statements establishing unintentional delay

☒ Other: Acknowledgment Postcard

**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

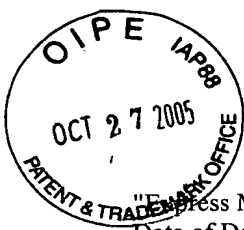
☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

Date \_\_\_\_\_

Signature

Typed or printed name of person signing certificate



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I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to MAIL STOP PETITION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Typed or Printed Name of Person Mailing Paper or Fee: Shirley Fajardo

Signature: Shirley Fajardo

PATENT  
Docket No. P1544

**IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS: NOEL LEE  
DEMIAN MARTIN

SERIAL NO.: 10/655,095 EXAMINER: EDGARDO SAN MARTIN

FILED: SEPTEMBER 3, 2003 ART UNIT: 2837

FOR: SURROUND SOUND POSITIONING TOWER  
SYSTEM AND METHOD

MAIL STOP PETITION  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

**TRANSMITTAL LETTER**

Dear Sir:

In connection with the above-referenced patent application, transmitted herewith are the following:

1. Petition for Revival of an Application for Patent Abandoned for Failure to Notify the Office of a Foreign or International Filing (37 CFR §1.137(f) (2 pages);
2. Check No. 12242 in the amount of \$1500.00 in payment of petition fee under 37 CFR §1.17(m); and
3. Post card in acknowledgment of receipt of all transmitted material.

Please date-stamp the enclosed post card and return same to the undersigned in acknowledgment of receipt of all transmitted materials.

Respectfully submitted,

A handwritten signature in cursive script that reads "May Lin DeHaan".

May Lin DeHaan  
Reg. No. 42,472

MLD/rm  
October 27, 2005  
LARIVIERE, GRUBMAN & PAYNE, LLP  
P. O. Box 3140  
Monterey, CA 93942  
(831) 649-8800